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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FELTON A. SPEARS, JR. and SIDNEY
SCHOLL, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

WASHINGTON MUTUAL, INC.,
a Washington corporation;
FIRST AMERICAN EAPPRAISEIT,
a Delaware corporation; and
LENDER'S SERVICE, INC.,

Defendants.

CASE NO.: 5:08-CV-00868 (HRL)

CLASS ACTION

PROOFS OF SERVICE OF SUMMONS AND
COMPLAINT ON DEFENDANTS
WASHINGTON MUTUAL, INC.,
FIRST AMERICAN EAPPRAISEIT and
LENDER'S SERVICE, INC.

TO: THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs Felton A. Spears, Jr. and Sidney Scholl hereby submit, as Exhibit A, the Proofs of Service of Summons and Complaint on Defendants Washington Mutual, Inc., First American Eappraiseit and Lender's Service, Inc.

Dated: February 29, 2008

Michael D. Braun
BRAUN LAW GROUP, P.C.

By: /s/ Michael D. Braun
Michael D. Braun
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Attorneys for Plaintiffs

EXHIBIT A

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

FELTON A. SPEARS, JR. and SIDNEY
SCHOLL, on behalf of themselves
and all others similarly situated,,

Plaintiff(s),

No. C08-00868

vs.

DECLARATION OF SERVICE

WASHINGTON MUTUAL, INC., a
Washington corporation,,

Defendant(s),

ss.

The undersigned, being first duly sworn on oath deposes and says: That he/she is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

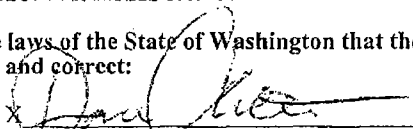
That on the 28th day of February, 2008 @ 03:00 PM, at the address of 1301 2ND AVE 35th floor , Seattle, within KING County, WA, the undersigned duly served the following document(s): SUMMONS IN A CIVIL CASE; COMPLAINT FOR DAMAGES, EQUITABLE, DECLARATORY AND INJUNCTIVE RELIEF; CIVIL COVER SHEET; ORDER OF THE CHIEF JUDGE; INSTRUCTIONS FOR COMPLETION OF ADR FORMS REGARDING SELECTION OF AN ADR PROCESS; NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS; GENERAL ORDER NO. 53; GENERAL ORDER NO. 45; ECF REGISTRATION INFORMATION HANDOUT; GENERAL ORDER NO. 40; CRIMINAL AND CIVIL LAW AND MOTION/TRIAL/SETTLEMENT/CASE MANAGEMENT/DISMISSAL HEARING SCHEDULES; GUIDELINES FROM THE CLERK'S OFFICE, SAN JOSE DIVISION; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES in the above entitled action upon WASHINGTON MUTUAL, INC., by then and there personally delivering ONE true and correct copy(ies) of the above documents into the hands of and leaving same with JAMIE BUHL, ADMINISTRATIVE ASSISTANT.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

Date:

2/28/08

Service Fee: \$ _____
Return Fee: \$ _____
Mileage Fee: \$ _____
Misc. Fee: \$ _____
Total Fee: \$ _____


Davis Christopher
Process Server
NW Legal Support, Inc.
200 West Thomas Street, Suite 140
Seattle, WA 98119
206.223.9426



472037

Michael D. Braun, 167416
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 Phone: (310) 442-7755
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 Attorney for: Plaintiff

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

Spears, Jr.

Plaintiff(s)

v.

Washington Mutual, Inc.

Defendant(s)

CASE NUMBER:

C08-00868 HRL

**PROOF OF SERVICE
 SUMMONS AND COMPLAINT**

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☒ summons ☒ complaint ☐ alias summons ☐ first amended complaint
☐ second amended complaint
☐ third amended complaint

☒ other (specify): See Attachment

2. Person served:

- a. ☒ Defendant (name): First American eAppraiseIT, a Delaware Corporation
 b. ☒ Other (specify name and title or relationship to the party/business named):
 Laurie Grushen, Vice President
 c. ☒ Address where papers were served: 1 American Way Building 1 Santa Ana, CA 92707

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☒ Federal Rules of Civil Procedure
 b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☒ By Personal service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
 1. ☒ Papers were served on (date): 2/20/2008 at (time): 4:55PM
 b. ☐ By Substituted service. By leaving copies:
 1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
 2. ☐ (business) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
 3. ☐ Papers were served on (date): _____ at (time): _____
 4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
 5. ☐ papers were mailed on (date): _____
 6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant.

BY FAX

PROOF OF SERVICE - SUMMONS AND COMPLAINT

02/21/2008 16:35 One Legal LLC

(FAX)213 617 4717

P.003/004

- c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of Summons and Complaint).
- d. ☒ Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only) By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service).
- f. ☐ Service on a foreign corporation. In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ Certified or registered mail service. By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. ☐ Other (specify code section and type of service):
5. Service upon the United States, and Its Agencies, Corporations or Officers.
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): _____ at (time): _____
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (name, address and telephone number):
- Wendy Duffield
One Legal - 194 Marin
504 Redwood Blvd. #223
Novato, CA 94947
415-491-0606
REG: PSC-408 CO: Orange
- a. Fee for service: \$ 64.00
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration under B&P 22350(b)
- d. ☒ Registered California process server
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 2/21/2008


 (Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

CV-1 (04/01)

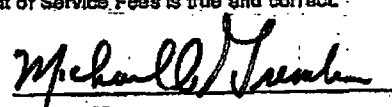
PAGE 2

116M81694029.tif - 2/21/2008 11:59:29 PM

Attachment:

Civil Case Cover Sheet, ADR Packate, Guidelines from the Clerk of the Court, Management-Dismissal Hearing Schedule, General Order No. 40, ECF Registration Information Handout, General Order 45, General Order 53, Notice of Lawsuit and Request for Waiver of Service of Summons and Complaint, Additional ADR Documents, Order in re E-Filing In Cases With Unrepresented Parties

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE 2-21-08
Name of SERVER Michael A. Gremb		TITLE INVESTIGATOR
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served Personally upon the Defendant. Place where served: Personally Served on Ms. Linda Santel, Executive Assistant to CEO Mr. Griffin, who he presented that she is authorized to accept service on behalf of Lender's Service, Inc.		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>2-21-08</u> <div style="text-align: center;">Date</div>	<div style="text-align: center;">  Signature of Server </div> <div style="text-align: center;"> <u>3038 Amy Dr So Pak PA 15129</u> Address of Server </div>	
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.		

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.:

I am employed in the county of Los Angeles, State of California, I am over the age of 18 and not a party to the within action; my business address is 12304 Santa Monica Boulevard, Suite 109, Los Angeles, CA 90025.

On February 29, 2008, using the Northern District of California's Electronic Case Filing System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s) described as:

**PROOFS OF SERVICE OF SUMMONS AND COMPLAINT ON DEFENDANTS
WASHINGTON MUTUAL, INC., FIRST AMERICAN EAPPRAISEIT and
LENDER'S SERVICE, INC.**

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

Janet Lindner Spielberg, Esq.	jlspielberg@jlslp.com
Joseph N. Kravec, Jr., Esq.	jnk@ssem.com
Ira Spiro, Esq.	ira@spiromoss.com

Attorneys for Plaintiffs

Robert J. Pfister, Esq.	rpfister@stblaw.com
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Attorneys for Defendants

I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on February 29, 2008, at Los Angeles, California 90025.

/S/ LEITZA MOLINAR
Leitza Molinar